

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

DARRYL M. YOUNG,)	
)	
Petitioner,)	
)	
vs.)	No. 06-3085-CV-S-RED
)	
JOSEPH E. GUNJA, Warden, ¹)	
United States Medical Center for)	
Federal Prisoners,)	
)	
Respondent.)	

**REPORT AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

Petitioner has filed a Petition for Writ of Habeas Corpus, in which he asserts that the Parole Commission has improperly denied him credit for time he spent in custody. A Show Cause Order was entered and a response filed. The respondent submitted the records of the Parole Commission, but noted that the petitioner had failed to exhaust administrative remedies. In his Traverse, petitioner acknowledges that he has not exhausted administrative remedies, but asserts there are unusual circumstances to allow those remedies to be bypassed.

Whatever the petitioner's allegations are, he has failed to exhaust administrative remedies. His allegations are not so unusual as to justify the bypassing of those remedies.

For the foregoing reasons, it is, pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri,

¹ Robert McFadden is no longer the warden at the United States Medical Center for Federal Prisoners. Joseph E. Gunja's name has been inserted to reflect the current warden.

RECOMMENDED that petitioner be denied leave to proceed in forma pauperis, and that the petition herein for writ of habeas corpus be dismissed without prejudice.

/s/ James C. England
JAMES C. ENGLAND, CHIEF
UNITED STATES MAGISTRATE JUDGE

Date: January 5, 2007